



**Austin City Code Amendment
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

AGENDA ITEM NO.: 22
AGENDA DATE: Thu 09/30/2004
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SUBJECT: Approve an ordinance amending Section 2-10-35 of the City Code modifying the membership of the Downtown Austin Community Court (DACC) Advisory Committee.

AMOUNT & SOURCE OF FUNDING: N/A

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

REQUESTING Municipal Court
DEPARTMENT:

DIRECTOR'S
AUTHORIZATION: Rebecca Stark

FOR MORE INFORMATION CONTACT: Greg Toomey, DACC Court Administrator / 974-2626

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: Recommended by the DACC Advisory Committee and the Council Judicial Committee.

The current ordinance limits the membership of the Downtown Austin Community Court Advisory Committee to representatives of certain local social service agencies. There are a number of stakeholders who represent other agencies who have expressed an interest in serving on the committee. The Committee currently has several vacancies, which has interfered with meeting quorum requirements.

This ordinance removes specific agency requirements, and allows the Council to appoint any interested citizen to the Committee. However, the appointments must include members who represent the Downtown business and public service communities. The ordinance also sets a two year staggered membership term.

The Advisory Committee members voted unanimously to approve this amendment. The committee members believe the amendment addresses many of the issues above referenced. The new language will add more flexibility to the membership so the positions can be filled by a variety of stakeholders who are dedicated to serving on the committee.

ORDINANCE NO. 040930-

AN ORDINANCE AMENDING SECTION 2-10-35 OF THE CITY CODE
RELATING TO THE DOWNTOWN AUSTIN COMMUNITY COURT
ADVISORY COMMITTEE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Section 2-10-35 of the Code is amended to read:

§ 2-10-35 ADVISORY COMMITTEE.

(A) The Downtown Austin Community Court Advisory Committee shall advise the Downtown Austin Community Court on policy and operational issues, and is governed by Chapter 2-1 (Boards and Commissions), Article 1 (General Provisions) of the Code, unless otherwise specifically provided for in this section.

(B) The advisory committee is composed of 13 members appointed by the city council, including members who are representative of the downtown business and public service community. The members shall serve two-year staggered terms, with the terms of seven members expiring June 1 of even numbered years and the terms of the other six members expiring June 1 of odd-numbered years. ~~as follows:~~

~~(1) a board member from the Austin/Travis County Department of Mental Health and Mental Retardation selected by the Department's board;~~

~~(2) a small downtown business owner appointed by the council; and~~

~~(3) one member selected by each of the following entities:—~~

~~(a) the Austin Neighborhoods Council;~~

~~(b) Caritas;~~

~~(c) the Community Action Network;~~

~~(d) the Downtown Austin Alliance;~~

- ~~(e) the Downtown Neighborhood Association;~~
- ~~(f) the East Sixth Street Association;~~
- ~~(g) the Greater Austin Chamber of Commerce;~~
- ~~(h) the Homeless Taskforce;~~
- ~~(i) the Push Up Foundation;~~
- ~~(j) the Real Estate Council of Austin; and~~
- ~~(k) the University of Texas Center for Criminology and Criminal Justice Research.]~~

(C) The advisory committee shall meet at least once every two months, and more frequently if the committee determines that additional meetings are necessary.

(1) A majority of the advisory committee members, excluding vacancies, constitutes a quorum.

(2) The advisory committee shall annually elect a chairperson to preside over its meetings.

(3) The advisory committee may establish by-laws and rules for the conduct of its business.

(D) Chapter 2-7 (*Ethics and Financial Disclosure*) of the City Code does not apply to a member of the advisory committee [~~Downtown Austin Community Court Advisory Committee~~] who is not also another member of another advisory board or commission.

PART 2. At the first committee meeting after the effective date of this ordinance, the current committee members shall draw lots to determine the six committee members whose terms expire on June 1 of odd-numbered years.

PART 3. This ordinance takes effect on October 11, 2004.

PASSED AND APPROVED

_____, 2004

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Will Wynn

Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Brown
City Clerk